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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,404	01/22/2004	Shinya Yamasaki	725.1165	3306

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EXAMINER

AKERS, GEOFFREY R

ART UNIT PAPER NUMBER

3625

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/761,404	YAMASAKI, SHINYA	
	Examiner	Art Unit	
	Geoffrey Akers	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. Claims 1-14 have been examined.

Claim Rejections - 35 USC § 102

2. Claims 1-14 are rejected under 35 USC 102(b) as anticipated by Hoyt(US Pat. No: 6,067,531).

.....
3. As per claim 1 Hoyt teaches a remote negotiation apparatus(Abstract) for negotiation through a communication environment(Abstract). Hoyt teaches the apparatus comprises a control unit which displays a window of a predetermined format corresponding to a commercial transaction document related to providing the service on a terminal used by the provider(col 3 lines 50-64), and requests the provider to execute an input operation on the window to input information contents necessary for preparing the commercial transaction document(Fig 4C/450) and stores the information contents of the commercial transaction document prepared by the input operation in a storage device(Fig 4C/470) and which displays on a second terminal(Fig 4A/406/410) used by the receiver a commercial transaction document having the same contents as those of the commercial transaction document prepared by the provider on the basis of the information contents of the commercial transaction document in the storage device in accordance with a browsing request from the receiver(Fig 4C/468).

4. Regarding claim 2 Hoyt teaches the apparatus according to claim 1 further comprising a printing device which prints the commercial transaction document displayed on the second operation terminal(col 8 lines 4-8).

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5. Regarding claim 3 Hoyt teaches the apparatus according to claim 1 wherein the control unit receives an instruction by the receiver for designing a third party(Fig 4A/428) who is permitted to browse the commercial transaction document having the same contents as those of the commercial transaction document that the receiver can browse(col 6 lines 43-55) and provides to the designated third party information related to the commercial transaction document having the same contents as those of the commercial transaction document by the third party(Fig 4A/412/428).

6. Regarding claim 4 Hoyt teaches the apparatus according to claim 3 wherein said control unit receives selection by the receiver of a providing method in providing the information related to the commercial transaction document to the third party(col 7 line 43-col 8 line 4).

7. Regarding claim 5 Hoyt teaches the apparatus according to claim 3 wherein said control unit provides the information related to the commercial transaction document to the third party and also provides information related to a catalog sheet about the service specified by the commercial transaction document(col 8 lines 21-28).

8. Regarding claim 6 Hoyt teaches the apparatus according to claim 1 wherein the control unit selects between a temporary and a final storage state for storing the information contents of the commercial transaction and in temporary storage where the contents of the commercial transaction can be changed and in permanent state where the contents cannot be changed(col 8 lines 1-4)(col 7 line 40-47).

9. Regarding claim 7 Hoyt teaches the apparatus according to claim 6 wherein even when the selected storage state is in the temporary storage state the control unit inhibits

the change of the contents when a degree of the change of the contents of the commercial transaction document by the receiver exceeds a predetermined range(col 7 line 47-col 8 line 47).

10, Regarding claim 8,Hoyt teaches the apparatus according to claim 6 wherein the selected storage state is the temporary state and when the changes are done in the commercial transaction document the provider is notified(col 8 lines 1-11)(col 8 lines 41-42).

11. As per claim 9 Hoyt teaches the apparatus according to claim 6 wherein when the selected storage stage is in the temporary storage state and the approval operation for the contents of the commercial transaction document is in the temporary storage state is executed by the receiver, said control unit changes the storage state to the final storage state(col 8 lines 32-41).

12. As per claim 10 Hoyt teaches the apparatus according to claim 6 wherein said control unit receives an instruction by the receiver for designating a third party(Fig 4A/428) who is permitted to browse the commercial transaction document having the same contents as those of the commercial document having the same contents as those of the commercial transaction document that the receiver can browse(col 6 lines 43-55) and provides to the designated third party information related to the commercial transaction document having the same contents as those of the commercial transaction document by the third party and inhibits the change of the contents of the commercial transaction document by the designated third party even when the selected storage state is the temporary storage state(col 7 lines 49-56)(col 7 lines 7-12)

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13. Regarding claim 11 Hoyt teaches the apparatus according to claim 6 wherein when the selected storage state is the temporary storage state and where said control unit permits a change by the provider of a providing price of the service specified by the commercial transaction document(Fig 12/1200/1204/1202/1206)(col 32 line 61-col 33 line 21).

14. Regarding claim 12 Hoyt teaches the apparatus according to claim 1 wherein the commercial transaction document is at least one of an estimate a contract or a purchase order which decides an amount related to providing a service(Fig 9/912).

15. As per claim 13 Hoyt teaches a remote negotiation method of causing, before providing a service including sales of merchandise a provider of the service and receiver to do remote negotiation through a communication environment the remote negotiation method(Abstract) comprising steps of displaying a window of a predetermined format corresponding to a commercial transaction document related to providing of the service on a first operation terminal used by the provider(col 3 lines 50-64) and requesting the provider to execute an input operation on the window to input information contents necessary for preparing the commercial transaction document(Fig 4C/452) and storing the information contents of the commercial transaction document prepared by the input operation in a storage device(Fig 4C/470) and receiving a commercial transaction document browsing request from the receiver and upon receiving the browsing request from the receiver displaying on the second operation terminal used by the receiver a commercial transaction document having the same contents as those of the commercial transaction document prepared by the provider on

the basis of the information contents of the commercial transaction document stored in the storage device(Fig 4C/468).

16. As per claim 14 Hoyt teaches a program causing a computer to execute a remote negotiation method of claim 13(Abstract)(col 1 lines 65-67)(Fig 1)(col 2 lines 58-63).

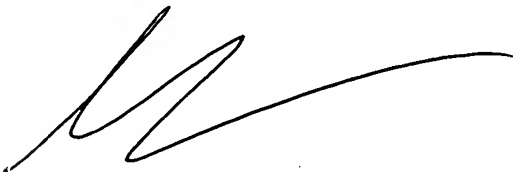
Conclusion

17. THIS ACTION IS MADE NON-FINAL.

18. Any questions concerning this communication should be addressed to the primary examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the primary examiner are unsuccessful, the primary examiner's superior, Mrs. Wynn Coggins, SPE, may be called at (703)-308-1344.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703)-308-3687. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-308-1113.

November 12,2004



**DR. GEOFFREY R. AKERS, P.E.
PRIMARY EXAMINER**